

Matthew Monforton  
MONFORTON LAW OFFICES, PLLC  
32 Kelly Court  
Bozeman, Montana 59718  
Phone: (406) 570-2949  
Fax: (406) 551-6919  
matthewmonforton@yahoo.com

Nicholas R. Barry\*  
Ian Prior\*  
AMERICA FIRST LEGAL FOUNDATION  
611 Pennsylvania Avenue S.E. No. 231  
Washington, D.C. 20003  
Phone: (202) 964-3721  
nicholas.barry@aflegal.org  
[ian.prior@aflegal.org](mailto:ian.prior@aflegal.org)  
*\*(pending approval of pro hac vice  
admittance)*

*Attorneys for Plaintiff Johnathan Talbot*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA

Johnathan Talbot	)	
	)	
<i>Plaintiff,</i>	)	Cause No. 2:23-cv-00066-BMM
	)	
	)	<b>AFFIDAVIT UNDER</b>
	)	<b>PENALTY OF PERJURY</b>
	)	
	)	
Manoah Ainuu, and The North	)	
Face Apparel Corp., a Delaware	)	
Company.	)	
	)	
<i>Defendants</i>	)	



of Tennessee as of November 2013. None of my admissions have been terminated.

E. I am in good standing and eligible to practice in these courts.

F. I am not currently suspended or disbarred in any other court.

G. I have never been held in contempt, otherwise disciplined by any court for disobedience of its rules or orders or sanctioned under Fed. R. Civ. P. 11 or 37(b), (c), (d), (f), or their state equivalent.

H. I have not concurrently or within the two years proceeding the date of this application made any *pro hac vice* application to this court.

I. I fully understand that my *pro hac vice* admission in this court is personal to me only and is not admission of a law firm and that I will be held fully accountable for the conduct of the litigation in this court.

J. I have complied with Mont. R. Prof'l Conduct 8.5. Attached as Exhibit 1 is my agreement to be bound by the Mont. R. Prof'l Conduct 8.5.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 17 day of November, 2023.

  
\_\_\_\_\_  
Nicholas R. Barry

Matthew Monforton  
MONFORTON LAW OFFICES, PLLC  
32 Kelly Court  
Bozeman, Montana 59718  
Phone: (406) 570-2949  
Fax: (406) 551-6919  
matthewmonforton@yahoo.com

Nicholas R. Barry\*  
Ian Prior\*  
AMERICA FIRST LEGAL FOUNDATION  
611 Pennsylvania Avenue S.E. No. 231  
Washington, D.C. 20003  
Phone: (202) 964-3721  
nicholas.barry@aflegal.org  
ian.prior@aflegal.org  
*\*(pending approval of pro hac vice  
admittance)*

*Attorneys for Plaintiff Johnathan Talbot*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA

Johnathan Talbot

*Plaintiff,*

Manoah Ainuu, and The North  
Face Apparel Corp., a Delaware  
Company.

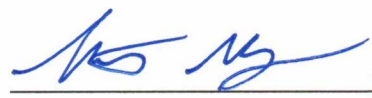
*Defendants*

)  
)  
) Cause No. 2:23-cv-00066-BMM  
)  
) **AFFIDAVIT UNDER**  
) **PENALTY OF PERJURY**  
) **EXHIBIT A**  
)  
)  
)  
)  
)  
)

**EXHIBIT A**

I, Nicholas R. Barry, hereby certify in writing and under oath to this Court that, except as to Rules 6.1 – 6.4 of the Rule of Professional Conduct (“Rules”), I will be bound by these Rules in my practice of law in Montana and will be subject to the discipline authority of Montana.

A copy of this certification will be mailed, contemporaneously, to the business office of the State Bar of Montana in Helena, Montana.

  
\_\_\_\_\_  
Nicholas R. Barry

Subscribed and sworn before me this 17 day of November, 2023, by whose identity is known to me.

  
Notary Public

My Commission Expires  
September 8, 2025  
My commission expires: \_\_\_\_\_

